

WORKFORCE DEVELOPMENT DEPARTMENT[871]

Adopted and Filed

Rule making related to claims

The Director of the Workforce Development Department hereby amends Chapter 24, “Claims and Benefits,” and Chapter 25, “Benefit Payment Control,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 96.11.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 96.

Purpose and Summary

These amendments clarify procedures for initial claims and specify the repayment terms for overpayments.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on March 14, 2018, as **ARC 3666C**. The Notice was reviewed by the Administrative Rules Review Committee at its meeting held on April 6, 2018. No questions or comments were received from Committee members. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Director of the Department on April 25, 2018.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on June 27, 2018.

The following rule-making actions are adopted:

ITEM 1. Amend paragraph **24.2(1)“g,”** introductory paragraph, as follows:

g. No ~~continued claim for benefits~~ benefit payment shall be allowed until the individual claiming benefits has completed a continued claim online or ~~claimed benefits~~ as otherwise directed by the department.

ITEM 2. Amend paragraph **24.9(1)“a”** as follows:

a. When an initial claim for benefits is filed, the department shall send to the individual claiming benefits, ~~including~~ a notification consisting of a statement of the individual's weekly benefit amount, total benefits, base period wages, and other data pertinent to the individual's benefit rights.

ITEM 3. Amend paragraph **25.7(6)“c”** as follows:

c. If a claimant fails to respond to the first statement of overpayment, a second statement shall be sent 30 days later. The second statement notifies the claimant that full repayment must be made. If the claimant cannot make full repayment, the department will consider a monthly repayment agreement. Monthly amounts based on the minimum repayment agreement schedule below will be printed on the second billing. The first repayment is expected 10 days from the date of the second repayment statement and the additional repayments every 30 days thereafter until the debt is paid in full. The department reserves the right to accept or reject any proposed repayment agreement. The following minimum repayment agreement is acceptable ~~by~~ to the department.

Amount of Original Overpayment	Minimum Monthly Payments	Number of Months Required to Liquidate the Overpayment
Under \$199	\$ 25	1 to 8
\$200 to \$399	\$ 40 <u>50</u>	5 to 10 <u>4 to 8</u>
\$400 to \$599	\$ 50 <u>75</u>	8 to 12 <u>5 to 8</u>
\$600 to \$799	\$ 65 <u>90</u>	9 to 13 <u>6 to 9</u>
\$800 to \$999	\$ 80 <u>100</u>	10 to 13 <u>8 to 10</u>
\$1000 to \$1499	\$ 90 <u>150</u>	11 to 17 <u>6 to 10</u>
\$1500 to \$1999	\$100 <u>200</u>	15 to 20 <u>7 to 10</u>
\$2000 to \$2999	\$110 <u>250</u>	18 to 28 <u>8 to 12</u>
\$3000 and over	\$130 <u>300</u>	23 to — <u>10 to —</u>

[Filed 4/25/18, effective 6/27/18]

[Published 5/23/18]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/23/18.